



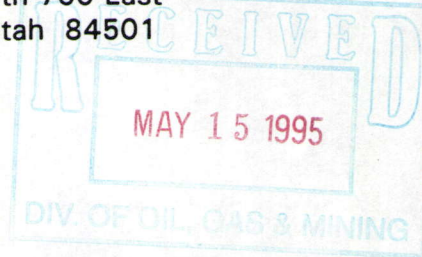
# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District  
San Rafael Resource Area  
900 North 700 East  
Price, Utah 84501

3809  
(UTU-69862)  
(UT-067)

Mr. Neal Mortensen  
Western Clay Company  
508 East Center  
Aurora, Utah 84620



MAY 1 1 1995

Dear Mr. Mortensen:

U. S. Fish and Wildlife Service has informed us that the plan of operations cannot be approved until they approve your mitigation plan to recover the Pediocactus winkleri plants. According to 43 Code of Federal Regulations 3809.1-6(a(5)), we cannot approve a plan until we have complied with Section 7 of the Endangered Species Act. We have initiated a Section 7 conference with the U. S. Fish and Wildlife Service regarding the cactus and will give you final approval once the mitigation plan is approved. If the U. S. Fish and Wildlife Service makes any conditions regarding the mitigation plan, those conditions shall be made part of the conditions for approval of the plan of operations.

If you have any questions, please feel free to contact Neil Simmons of my staff at (801) 637-4584.

Sincerely,

**PENELOPE J. DUNN**

Area Manager

cc: Bryant Anderson  
Emery County Planning and Zoning  
P.O. Box 297  
Castle Dale, Utah 84513  
Kiran Bhayani  
Utah Department of Environmental Health  
Division of Water Quality  
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